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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**
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8 JOHN MICHAEL FARNUM,

9 *Petitioner,*

10 vs.

11 WARDEN ROBERT LEGRAND, *et al.,*

12 *Respondents.*
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2:13-cv-01304-APG-PAL

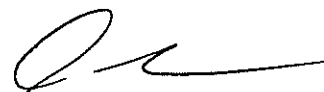
ORDER

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15 Petitioner, through counsel, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C.
16 § 2254. ECF No. 1. However, the matter has not been properly commenced because there has been
17 no payment of the filing fee or any application to proceed in *forma pauperis*.

18 Because it appears from the papers presented that a dismissal without prejudice may materially
19 affect a later analysis of any timeliness issue with regard to a promptly filed new action, the action will
20 not be dismissed outright. Instead, petitioner will be given time to pay the filing fee or apply for pauper
21 status.

22 **IT THEREFORE IS ORDERED** that petitioner shall have twenty days from entry of this order
23 to either pay the \$5 filing fee or submit a fully completed application to proceed in *forma pauperis*.
24 Failure to comply with this order may result in dismissal of this action.

25 DATED: July 30, 2013.

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27 UNITED STATES DISTRICT JUDGE
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